

and 32-42 are currently pending in this application. The applicants respectfully request reconsideration of the remaining claims.

Rejections Under 35 U.S.C. § 112:

The Office Action has rejected Claim 27 under 35 U.S.C. § 112 as not particularly pointing out and distinctly claiming the subject matter. Claim 27 has been amended to clarify the scope and meaning of the claim, which now includes the limitation of “biasing the thermal control blocks against a portion of the plasma processing chamber.” Referring to the Specification and Drawings (particularly at p. 14: lines 23-28) “biasing” describes the act of holding the thermal control blocks in good thermal contact with the plasma processing chamber. As such, it is respectfully submitted that as amended Claim 27 has overcome the rejection under § 112.

Rejections Under 35 U.S.C. § 102:

The Office Action has rejected Claims 23-26 as being anticipated by Collins, et al. (EP 0.837,489 A2). Claim 23 has been amended to include the limitation of “a plurality of thermal control blocks arranged around the sides of the plasma processing chamber such that the thermal control blocks are thermally coupled to the plasma processing chamber”. Such a limitation is well supported throughout the Specification and Drawings. For example, in the Specification at p. 15: lines 2-10 and in Figs. 7, 8A, and 9. Collins is confined to plasma chambers where the heating/cooling element is attached to a roof mounted “window” (e.g. p. 4:15-20). In processes as delicate and precise as semiconductor processing, the added uniformity and control provided by side mounted thermal control blocks is considerable and represents a significant advantage. Thus, Applicants submit that this amendment overcomes the rejection under § 102. This distinction also applies to dependent Claims 24-26.

Rejections Under 35 U.S.C. § 103:

The Office Action rejects Claim 27 as being unpatentable over Collins in consideration of In re Dulberg under 35 U.S.C. § 103. Applicants submit that the “biasing [of] the thermal control blocks against ... the plasma processing chamber” to hold the thermal control blocks in good thermal contact with the plasma processing chamber is not taught anywhere in Collins. Therefore, Applicants assert that Collins does not teach or suggest all of

the claim limitations. Thus, Collins fails to establish a prima facie case of obviousness. Thus, applicants request that this grounds for rejection be withdrawn.

Added Claims:

Added Claim 32 is dependent on Claim 23 and should be allowable for reasons discussed hereinabove. Claim 32 includes the additional limitation of thermal control blocks that "include notches to prevent RF energy from coupling with the thermal control blocks." Support for this limitation is found throughout the Specification and Drawings. For example, at page 12:11-page 13:2 and in Fig. 4. The cited art does not teach or suggest such limitations. Thus, it is submitted that Claim 32 is allowable.

Added Claim 33 includes the limitation of thermal control blocks that have "a heating element and a cooling element with a thermal break element coupled between the heater element and the cooling element". It is submitted that Claim 33 is allowable. The dependent claims include further limitations, such as "biasing the thermal control block against a portion of the plasma processing chamber" (Claim 35) and notches in the thermal block "to prevent RF energy from coupling with the thermal control block" (Claim 36). None of the foregoing limitations are taught in the prior art. Thus, it is submitted that Claim 33, and the claims depending therefrom, should be allowable.

Additionally, added Claim 37 includes the limitation of "preventing RF energy from coupling with the thermal control block." This limitation is not taught or suggested by any of the cited art. Therefore, Claim 37, and the claims depending therefrom, should be allowable.

Notice of Informal Application:

Pursuant to request of the Examiner, a more legible copy of the oath/declaration is attached hereto. As to the change in citizenship on the oath/declaration, that change was made by the signing inventor at the time of signature and is, thus, in compliance with the rules. Moreover, identical copies of the same oath/declaration have previously been submitted to, and accepted by, the Patent Office (e.g., in Ser. No. 09/439,675 now issued as U.S. Patent No. 6,302,966 B1) thus attesting to the sufficiency of the documents.

It is respectfully submitted that, in light of the above amendments and discussion, Claims 23-27 and 32-42 are patentable over the art of record and the present application is in condition for allowance. A Notice of Allowance is respectfully requested. Should the

Examiner have any questions regarding the above amendments, or questions concerning inventor citizenship, the Examiner is cordially invited to telephone the Applicants' representative below.

Respectfully submitted,
BEYER WEAVER & THOMAS, LLP

A handwritten signature in dark ink, appearing to read 'F. T. Kalinski II', written in a cursive style.

Francis T. Kalinski II
Reg. No. 44,177

P. O. Box 778
Berkeley, CA 94704-0778
Tel. (831) 655-2300